

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CITY OF LAKELAND EMPLOYEES)	Case No. 1:10-cv-06016
PENSION PLAN, Individually and on Behalf)	
of All Others Similarly Situated,)	<u>CLASS ACTION</u>
)	
Plaintiff,)	Judge Sharon Johnson Coleman
)	
vs.)	
)	
BAXTER INTERNATIONAL INC., et al.,)	
)	
Defendants.)	
)	
)	

**JOINT STIPULATED ORDER REGARDING FILING OF AMENDED
CONSOLIDATED CLASS ACTION COMPLAINT AND BRIEFING ON
DEFENDANTS' MOTION TO DISMISS**

WHEREAS on September 21, 2010, plaintiff City of Lakeland Employees Pension Plan ("Plaintiff"), individually and on behalf of all others similarly situated, filed a purported Class Action Complaint for Violations of Federal Securities Laws against defendants Baxter International Inc. ("Baxter"), Robert L. Parkinson, Jr. ("Parkinson"), Robert M. Davis ("Davis"), and Norbert G. Reidel;

WHEREAS on November 30, 2010, the Court appointed National Elevator Industry Pension Fund as Lead Plaintiff and appointed Robbins Geller Rudman & Dowd LLP as Lead Counsel [Dkt. No. 40];

WHEREAS on December 14, 2010, the Court entered an Order establishing a schedule for Lead Plaintiff to file its Consolidated Class Action Complaint and for Defendants' anticipated motion to dismiss [Dkt. No. 43];

WHEREAS on January 28, 2011, Lead Plaintiff filed its Consolidated Class Action Complaint (the "Consolidated Complaint") [Dkt. No. 65] against defendants Baxter, Parkinson, Davis, and Mary Kay Ladone ("Ladone") (collectively, "Defendants");

WHEREAS following filing of the Consolidated Complaint, Lead Plaintiff continued its ongoing factual investigation and believes that it has discovered substantial additional evidence in support of Lead Plaintiff's existing claims and allegations;

WHEREAS, counsel for the Parties have conferred in good faith, and Defendants have, consistent with Rule 15(a)(2) of the Federal Rules of Civil Procedure, consented to the filing of Lead Plaintiff's Amended Consolidated Class Action Complaint ("Amended Consolidated Complaint");

WHEREAS, in light of the foregoing, the Parties seek entry of an Order establishing deadlines for filing of the Amended Consolidated Complaint and for Defendants' response thereto;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Lead Plaintiff and Defendants, that:

1. Defendants need not respond to the Consolidated Complaint;
2. Lead Plaintiff shall file and serve its Amended Consolidated Complaint on April 15, 2011;
3. The briefing schedule on Defendants' anticipated Motion to Dismiss the Amended Consolidated Complaint:
 - (a) Defendants' anticipated Motion to Dismiss is due May 30, 2011;
 - (b) Lead Plaintiff's opposition to the motion to dismiss is due July 14, 2011;
 - (c) Defendants' reply in support of the anticipated motion to dismiss is due August 4, 2011.
4. The schedule established by the Court's December 14, 2010 Order [Dkt. 43] is hereby stricken.

SO ORDERED.

Dated: March ___, 2011

Sharon Johnson Coleman
United States District Judge

IT IS SO STIPULATED.

Dated: March 23, 2011

/s/ Lori A. Fanning
Marvin A. Miller
Lori A. Fanning
MILLER LAW LLC
115 S. LaSalle Street, Suite 2910
Chicago, IL 60603
Telephone: 312/332-3400

Liaison Counsel for Plaintiffs

/s/ David J. George
David J. George
Robert J. Robbins
**ROBBINS GELLER RUDMAN
& DOWD LLP**
120 E. Palmetto Park Road, Suite 500
Boca Raton, FL 33432
Telephone: 561/750-3000

Lead Counsel for Plaintiffs

/s/ Andrew J. Fuchs
Matthew R. Kipp
Donna L. McDevitt
Andrew J. Fuchs
SKADDEN ARPS
155 North Wacker Drive
Chicago, IL 60606
Telephone: 312/407-0700

Counsel for Defendants